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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,037	02/04/2004	Brian J. Fogg	6615P004	6105

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EXAMINER

HAILU, TADESSE

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/773,037	<b>Applicant(s)</b> FOGG ET AL.	
	<b>Examiner</b> Tadesse Hailu	<b>Art Unit</b> 2173	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 February 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>20060530</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Office Action is in response to the above patent application number filed on February 4, 2004.
2. The Information Disclosure Statements with references filed on 2/4/04 and 4/19/04 are considered and entered into the file.
3. The pending claims 1 through 29 are examined herein as follows.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, and 4-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Lanning et al (U.S. Pat No. 6,366,299).

With regard to claims 1, 23 and 26:

Lanning et al (hereinafter - Lanning) discloses real time data visualization techniques, wherein Lanning shares the principle of immediate feedback with dynamic querying techniques, and integrates query widgets with presentation of results rather than separate visualization. Lanning is also directed to a method of information interaction that allow users of computers to more

effectively browse multidimensional information, emphasizing on contextualized browsing of individual items (column 7, lines 37-44, column 10, lines 24-40).

As recited in claim 1 of the current invention, Lanning discloses a device (Fig. 8) comprising: a user interface (70) comprising:

a control region (Fig. 4, 5, 6 or 7), the control region to include one or more controls to set an attribute of information (see example, Fig. 4, the attributes for a television comprises *manufacturer, model, screen size, price, PIP tuner, placement and features*).

a display region (e.g., Fig. 7), the display region including an icon and a focal point, wherein the icon to represent the information and the icon is displayed relative to the focal point based on a ranking of the information.(column 10, lines 58-67).

Lanning discloses a computer device (Fig. 8) comprising: a user interface having plurality of panes (e.g., Fig. 4, 5, 6, or 7) includes at least a control region or pane (e.g., Fig. 4, 5, 6, or 7), wherein the control region or pane include one or more controls (e.g., sliding rods representing attributes, Fig. 5) to set an attribute of information (col. 8, lines 62-col. 9, lines 5). The user interface also includes information display region or pane (e.g., see the lower section of Fig. 4, 5, or 6, or the central region of Fig. 7), wherein the display region includes an icon (e.g., icon of a television as shown in Fig.7) and a focal point (e.g., the center in the display region of Fig. 7). Lanning further discloses

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that the icon represents the information and the icon is displayed relative to the focal point based on a ranking of the information, that is, presentation information is relevant to items (as exemplified in the detail view panes in FIGS. 4-7), but also to attributes and values (col. 11, lines 16-21).

Furthermore, as recited in claim 26, Lanning further describes a product icon (e.g., TV camera, etc) is displayed relative to x-axis and y-axis based on a relevance ranking of the information display region having (col. 3, lines 12-17, col. 9, lines 64-col. 10, lines 2).

With regard to claim 2:

Lanning further describes that the information includes a number of datasets, including demographic statistics for towns, business investment information, and various types of products or goods (e.g., TV, cars, etc) (col. 11, lines 55-59, col. 12, lines 23-27, Fig. 6).

With regard to claim 4:

Lanning further describes browsing over hierarchically organized categories or initiating a query (col. 10, lines 27-29). Such organized categories could include information of organization of icons associated with television products, automobile products, as well as the organization manufacturer, etc.

With regard to claim 5:

Lanning further describes that the control region or pane enables a user to set search criteria for a search engine using sliding rods or slider (col. 8, lines 42-58, col. 10, lines 39-52, see the controls in Fig. 4, 5, 6, or 7).

With regard to claim 6:

Lanning further describes that the control region includes a slider Control or sliding rod (col. 8, lines 62-65, col. 10, lines 39-52, see the draggable controls in Fig. 6 also Fig. 2, #10).

With regard to claim 7:

Lanning further describes several controls well known preference entry additional search criteria (Fig. 1) including a pull-down menu, keyword text box, check box, etc.

With regard to claim 8:

Lanning further describes that the icon, e.g., TV icon, is positioned in the display region close to the focal point when the ranking indicates the related information is likely to be of importance to one or more users (or party) (col. 10, lines 58-67, Fig. 7).

With regard to claim 9:

Lanning further describes that the user is a user of the device (col. 1, lines 12-16, col. 10, lines 41-52, see user's computer in Fig. 8).

With regard to claim 10:

Lanning further describes the user is the recipient of the information (col. 1, lines 12-16, col. 10 lines 41-52).

With regard to claim 11:

Lanning further describes that the icon dynamically re-positions in the display region upon modification of a control in the control region (col. 2, lines 27-32, col. 8, lines 42-58, col. 10, lines 58-col. 11, lines 11, also see interactive attribute-controls of Fig. 4).

With regard to claim 12:

Lanning further describes a description region or pane to provide a description or summary of the information (col. 11, lines 53-59, see the lower pane of Fig. 4, 5 or 7).

With regard to claim 13:

Lanning further describes the relevant ranking includes weighing the one or more control attributes to position the icon relative to the focal point in the display region (col. 6, lines 44-54, col. 7, lines 25-30, col. 8, lines 62-col. 9, lines 5, col. 10, lines 58-67).

With regard to claim 14:

Lanning further describes that the icon includes a label area (e.g., name of the product, DC220 mega pixel digital camera, Fig. 5 or Magnavox TP27803 TV, Fig. 6).

With regard to claim 15:

Lanning further describes a machine-readable medium (Fig. 8) having instructions to cause a machine to perform a method, the method comprising: positioning one or more icons (see TV or camera icon) in a display region (Fig.

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4, 5, 6 or 7) on a user interface based on settings of one or more controls (e.g., sliding rods as shown in Fig. 4, 5, or 6) in a control region of the user interface, wherein the one or more icons represent a search result (col. 2, lines 27-32, col. 7, lines 37-44, col. 8, lines 42-58). Lanning further describes that re-positioning the one or more icons in the display region when the one or more controls are modified (col. 7, lines 25-30, col. 8, lines 62-col. 9, lines 5, col. 10, lines 58-67).

With regard to claim 16:

Lanning further describes receiving search criteria based on the settings of the one or more controls (col. 8, lines 42-58, col. 9, lines 6-34). Lanning further describes relevant ranking the search result based on the settings of the one or more controls (see the setting of controls in Fig. 4, 5, or 6), wherein the re-positioning of the one or more icons in the display region is based on the ranking of the search result (col. 2, lines 27-32, col., 6, lines 44-54, col. 7, lines 37-44, col. 8, lines 42-58).

With regard to claim 17:

Lanning further describes that the positioning of the one or more icons in the display region further includes positioning a first icon of the one or more icons closer relative to a focal point (center) in the display region when the first icon is more likely to be of importance to a party, the first icon to represent at least one of a product (camera, TV, etc) (col. 9, lines 6-34, col. 10, lines 58-67, Fig. 7).



With regard to claim 18:

Lanning further describes configuring a weight of the settings of one or more controls, wherein the weight of the settings of the one or more controls are used to rank the search result (col. 6, lines 44-54, col. 11, lines 1-11).

With regard to claim 19:

Lanning further describes selecting a second icon of the one or more icons (e.g., selecting Magnavox TV, Fig. 6); and displaying a summary description of said Magnavox TV in a description region or pane as shown in the lower pane of Fig. 6).

With regard to claim 20:

Lanning further describes automatically re-positioning the settings of the one or more controls in the display region upon receiving an indication that the user is re-positioning one of the one or more icons in the display region, wherein the one or more icons are re-positioned in the display region (col. 9, lines 29-34, col. 11, lines 1-11).

With regard to claim 21:

Lanning further describes displaying information in a label area (e.g. name of a product, see lower pane Fig. 4, 5, or 6) attached to each of the one or more icons (e.g., TV or camera icon). Lanning further describes receiving an indication to modify the information in the label area for each of the one or more icons (col. 9, lines 6-34). Lanning further describes modifying the

information in the label area for each of the one or more icons (col. 9, lines 6-34, col. 11, lines 1-11).

With regard to claim 22:

Lanning further describes reconfiguring a slider type of one of the one or more controls based on a slider type selection made by a user (col. 9, lines 6-34, and col. 11, lines 1-11).

With regard to claim 24:

Lanning further describes the relevant ranking of the at least one product and service includes weighing the means for setting an attribute (col. 10, lines 24-67, Fig. 7).

With regard to claim 25:

Lanning further describes a means for displaying a description of the at least one good and service see summary description pane (e.g., lower portion of Fig. 4, 5 or 6).

With regard to claim 27:

Lanning further describes the icon dynamically re-positions in the display region upon modification of a control in the control region (col. 9, lines 6-28, col. 11, lines 1-11).

With regard to claim 28:

Lanning further describes the horizontal line (x-axis) to represent a price of an Item (see price in Fig. 4).

With regard to claim 29:

Lanning further describes the y-axis to represent a relevance of a combination of the information (col. 3, lines 12-17, col. 9, lines 64-col. 10, lines 2, also see *model*, *screen size*, *price*, *PIP tuner*, etc., in Fig. 4, 5, 6, or 7).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lanning et al (U.S. Pat No. 6,366,299) in view of Mayer (U.S. Pub No. 2003/0093405).

While Lanning discloses exploring and rendering any number of datasets, and any type of product information (col. 11, lines 49-59), but the information as being “a potential mate” is not described. Mayer is directed to searching, finding and contacting dates on the Internet. Mayer also describes “potential mate” search (par. 0076) as recited in claim 3. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate any type of information, such as “potential mate” of Mayer with Lanning’s information display. Since Lanning is not limited to the illustrated information as disclosed and since Lanning describes that any other type of information

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can be incorporated to his invention (col. 11, lines 49-59), thus, by incorporating Mayer's "potential mate" information one may search and render a potential mate using the Lanning's invention. Therefore, it would have been obvious to combine Mayer with Lanning to obtain the invention as specified in claim 3.

### CONCLUSION

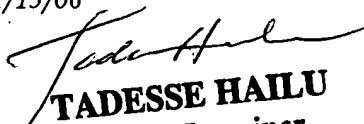
6. Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and Figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

7. Information regarding the status of an application may be obtained from the patent application information retrieval (PAIR) system. Status information for published application may be obtained from either Private -PAIR or Public-PAIR. Status information for unpublished applications is available through Private-PAIR only. For more information about the PAIR system, please see [pair-direct.uspto.gov](http://pair-direct.uspto.gov) web site. Should you have questions regarding access to the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (571) 272-4051. The Examiner can normally be reached on M-F from 10:30 – 7:00 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kincaid, Kristine, can be reached at (571) 272-4063 Art Unit 2173 and 2174.

*Examiner Tadesse Hailu*  
*Art Unit 2173 – Operator Interface*  
*11/13/06*

  
**TADESSE HAILU**  
*Patent Examiner*